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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/643,389	08/22/2000	Kevin K. Funk	10970997-3	8759

22878 7590 02/17/2004

AGILENT TECHNOLOGIES, INC.
INTELLECTUAL PROPERTY ADMINISTRATION, LEGAL DEPT.
P.O. BOX 7599
M/S DL429
LOVELAND, CO 80537-0599

EXAMINER

VON BUHR, MARIA N

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 02/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/643,389

Applicant(s)

FUNK, KEVIN K.

Examiner

Maria N. Von Buhr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2003 and 10 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-15, 17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-15, 17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. Examiner acknowledges receipt of Applicant's response to the previous Office action, received 10 September 2003, which cancels claim 16 and amends claims 13 and 17. Claims 13-15, 17 and 18 remain pending in this application.

2. In response to Applicant's amendment and remarks (page 12 of the instant response), the 35 U.S.C. §102(b) rejection of the claims, as being clearly anticipated by Muraoka et al. (U.S. Patent No. 4,095,095), is deemed to have been overcome and is, therefore, withdrawn, because Examiner agrees with Applicant's argument that Muraoka et al. do not teach the instantly claimed at least two stations, each having a scanning device and a display device, nor the newly added limitation to the instant claims, of indicating to a human user, on a first display device, when to move an object from said first station to said second station.

3. In response to Applicant's amendment and remarks (page 13 of the instant response), the 35 U.S.C. §102(b) rejection of the claims, as being clearly anticipated by Fukasawa (U.S. Patent No. 4,930,086), is deemed to have been overcome and is, therefore, withdrawn. Examiner disagrees with Applicant's argument that Fukasawa does not teach the instantly claimed at least two stations, each having a scanning device and a display device (see at least col. 1, line 63 – col. 2, line 11; col. 2, lines 20-25). However, Examiner does agree with Applicant's argument that Fukasawa does not teach the newly added limitation to the instant claims, of indicating to a human user, on a first display device, when to move an object from said first station to said second station.

4. In response to Applicant's amendment and remarks (page 15 of the instant response), concerning the 35 U.S.C. §102(b) rejection of the claims, as being clearly anticipated by Barnett (U.S. Patent No. 5,432,702), Examiner disagrees with Applicant's arguments. As per the first argument, that Barnett does not teach the instantly claimed at least two stations, each having a scanning device and a display device, Examiner notes that Barnett clearly shows, at least in Fig. 2, a bar code reader, elements 40, 42 and 44, and monitor, elements 60, 62 and 64, attached to each workstation (see also col. 1, lines 52-58; col. 3, lines 23-29). Examiner also disagrees with Applicant's second argument, that Barnett does not teach the newly added limitation to the instant claims, of indicating to a human user, on a first display device, when to move an object from said first station to said second station. In this regard, Barnett clearly teaches an object of the disclosed invention as being "to facilitate monitoring the status of the wafer, the tool, and the process so the information relating to the status can be displayed at the tool" (col. 1, lines 43-47), wherein

“information relating to the lot and the operation of the process may be displayed at the tool” (col. 2, lines 6-8), and “during the entire process, the monitor displays status of the tool, the wafer, or which specific part of the recipe the tool is currently performing” (col. 4, lines 20-22). Barnett further teach “sending status information from said tool to a monitor directly connected to said tool, and displaying said status information by said monitor, wherein said status information includes status of said wafer, said tool, and said process” (claim 4). Since Barnett clearly defines the environment of the disclosed invention as being one which involves a plurality of sequential steps for fabricating semiconductors at a plurality of tool workstations, this disclosed and claimed displaying of status information of a tool and status information of the process would inherently have included a status indication that the tool had completed its step of the process, and now the wafer would require transport to a next step/tool of the process. Hence, the newly added limitation to the instant claims, of indicating to a human user, on a first display device, when to move an object from said first station to said second station is inherently required by the teaching of Barnett.

Accordingly, claims 13-15, 17 and 18 stand rejected under 35 U.S.C. §102(b), as being clearly anticipated by Barnett (U.S. Patent No. 5,432,702).

5. In response to Applicant’s amendment and remarks (page 17 of the instant response), the 35 U.S.C. §102(a) rejection of the claims, as being clearly anticipated by Wu et al. (U.S. Patent No. 5,668,056), is deemed to have been overcome and is, therefore, withdrawn. Examiner agrees at least with Applicant’s argument that Wu et al. do not teach the instantly claimed at least two stations, each having a scanning device and a display device, since the scanning device of Wu et al. is not located at each of the stations.

6. In response to Applicant’s amendment and remarks (page 19 of the instant response), the 35 U.S.C. §102(a) rejection of the claims, as being clearly anticipated by Asai et al. (U.S. Patent No. 5,692,292), is deemed to have been overcome and is, therefore, withdrawn. Examiner disagrees with Applicant’s argument that Asai et al. do not teach the instantly claimed at least two stations, each having a scanning device and a display device (see at least col. 1, line 63 – col. 2, line 11; col. 2, lines 20-25). However, Examiner does agree with Applicant’s argument that Asai et al. do not teach the newly added limitation to the instant claims, of indicating to a human user, on a first display device, when to move an object from said first station to said second station.

7. In response to Applicant's amendment and remarks (pages 20-22 of the instant response), concerning the 35 U.S.C. §103(a) rejection of the claims, as being unpatentable over Saka et al. (U.S. Patent No. 5,434,790), Examiner clarifies that contrary to Applicant's intimation that Saka et al. nowhere suggest applying their "versatile production system" to an "integrated circuit device manufacturing system" as instantly claimed, Saka et al. clearly provide for the manufacture of integrated circuits, as shown at least in Fig. 5 (wherein the line terminal display represents the manufacturing status of a "CPU") and col. 8, line 67 – col. 9, line 6. However, Saka et al. do not specify that their integrated circuit device manufacturing system incorporates wafer stepper and resist spin track machines. In this regard, these types of machines are extremely well-known in the environment of manufacturing integrated circuits (as evidenced at least by Wu et al. (U.S. Patent No. 5,668,056); Fukasawa (U.S. Patent No. 4,930,086); Muraoka et al. (U.S. Patent No. 4,095,095); Yoshizawa et al. (U.S. Patent No. 5,442,561); and Shimoyashiro et al. (U.S. Patent No. 5,536,128), all previously cited). Hence, as indicated in the previous Office action, it would have been obvious, to one having ordinary skill in the art, at the time the instant invention was made, to include such well-known machines in the system of Saka et al., because it has been held to be within the general skill of a worker in the art to select known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

Applicant's further argument, that Saka et al. do not teach the instantly claimed at least two stations, each having a scanning device and a display device, is not persuasive. Applicant's attention is directed at least to Figs. 1 and 3, col. 2, lines 39-64, and col. 4, line 47 – col. 5, line 37, wherein Saka et al. clearly teach multiple workstations, each with their own optical scanners and monitors. Applicant's additional argument, that Saka et al. do not teach the newly added limitation to the instant claims, of indicating to a human user, on a first display device, when to move an object from said first station to said second station, is also not persuasive. In this regard, Saka et al. clearly teach a "line host controller reads data written in a communication-memory unit, which is transported to assembling sites and testing sites, via line terminals. Using the read data, the line host controller instructs the operators at the assembling sites and testing sites to output work orders so as to display units via the line terminals" (col. 3, lines 5-11, emphasis added), wherein the "line host controller informs operators of the above data by outputting the assembly work order sheets associated with the assembling sites to CRT monitors or printers connected to the respective semi-assembled product terminals ... The operators start driving transporting means or

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conveyor belts (not shown) to feed semi-assembled products, which are being assembled, to the assembling sites at the subsequent steps" (col. 5, lines 26-35).

Hence, claims 13-15, 17 and 18 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Saka et al. (U.S. Patent No. 5,434,790).

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR §1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR §1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Maria N. Von Buhr whose telephone number is 703-305-3837. The Examiner can normally be reached on M-F (9am-5pm).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Leo Picard can be reached on 703-308-0538. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Maria N. Von Buhr
Primary Patent Examiner
Art Unit 2125